

## **EXHIBIT F**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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ANDREA TANTAROS,

*Plaintiff,*

Index No.:

-- against --

**COMPLAINT**

FOX NEWS NETWORK, LLC, ROGER  
AILES, WILLIAM SHINE, DIANNE  
BRANDI, IRENA BRIGANTI, and SUZANNE  
SCOTT,

*Defendants.*

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Plaintiff Andrea Tantaros, by her attorneys, Judd Burstein, P.C., complaining of the  
Defendants herein, as and for her Complaint, alleges:

**INTRODUCTION**

1. In 2011, Plaintiff Andrea Tantaros (“Plaintiff” or “Tantaros”), a highly skilled, thoughtful, and polished host and political analyst, signed a contract with Defendant FOX News Network, LLC (“Fox News”) to serve as a regular co-host of the Fox News television show, *The Five*, which aired at the highly desirable time of 5:00 p.m. each weekday. It was a dream job.

2. However, looks were deceiving. Fox News masquerades as defender of traditional family values, but behind the scenes, it operates like a sex-fueled, Playboy Mansion-like cult, steeped in intimidation, indecency, and misogyny.

3. In recent months, other women have finally, and laudably, come forward to reveal Defendant Roger Ailes (“Ailes”) as the sexual predator that he is. However this Complaint is not just about Ailes; it also gives life to the saying that “the fish stinks from the head.” For Ailes did not act alone. He may have been the primary culprit, but his actions were condoned by his most

senior lieutenants, who engaged in a concerted effort to silence Tantaros by threats, humiliation, and retaliation.

4. At the outset of her employment, Tantaros was merely the victim of demeaning conduct, such as being instructed to wear clothes that showed off her legs, and being required to annually pick on-air clothing in the middle of a room without the benefit of even a curtain, thereby forcing her to strip down in front of Fox News wardrobe personnel.

5. However, commencing in the late summer of 2014, Tantaros's tenure at Fox News devolved into a nightmare of sexual harassment by Ailes, Fox News's then-President, and others, followed by retaliation by Ailes and others despite multiple ongoing complaints by Tantaros, her agent, and her entertainment attorney, Joseph J. Cane, Jr. ("Cane"), who continues to represent her. This conduct included:

- a. Ailes asking Tantaros on two occasions, with no success, to "turn around so I can get a good look at you." On information and belief, Ailes's wholly inappropriate requests of Tantaros were part of a pervasive course of conduct on the part of Ailes towards other Fox News female on-air personalities such that his "turn around" requests were generally referred to by Fox News personnel as "the twirl";
- b. On one of the occasions when Tantaros was asked to perform "the twirl," Ailes also asked her to "come over here so I can give you a hug";
- c. On a later occasion, Ailes told Tantaros that she "looked good," and that "I bet you look good in a bikini";
- d. As discussed in much greater detail below, Ailes unsuccessfully sought to ask Tantaros outrageous questions about the sexual relationships of other Fox News

employees, such as whether (i) Fox News Host Greg Gutfeld (“Gutfeld”) was “gay,” (ii) Fox News Contributor Dana Perino (“Perino”) was “a lesbian,” or (iii) Gutfeld and Perino were “sleeping together”; and

- e. Ailes also forced Tantaros to suffer through his demeaning comments about other Fox News employees, such as Ailes’s statement to Tantaros that Fox News host Kimberly Guilfoyle was a “Puerto Rican whore.”

6. In the wake of Tantaros’s rebuffing of Ailes’s sexual harassment and his effort to engage in inappropriate conversations about Fox News employees, Ailes initially retaliated against Tantaros in a host of ways, including:

- a. Removing Tantaros as a host of *The Five*, a very popular program airing weekdays at 5:00 p.m., to *Outnumbered*, a show airing five times a week at the daytime graveyard time of Noon, and then failing to promote or even publicly announce that she had been moved to *Outnumbered*;
- b. On information and belief, directing Defendant Irena Briganti (“Briganti”), the Group Senior Vice President at FOX News Channel & FOX Business Network who is in charge of Fox News’s media relations, to turn Fox News’s widely-reported, vindictive media relations department against Tantaros. This conduct included Briganti:
  - (i) Demonstrably failing to provide media support for Tantaros;
  - (ii) Repeatedly denying all requests by prominent and credible media outlets to interview Tantaros;

- (iii) Enforcing an unspoken -- but very real -- embargo preventing access to Tantaros from other media outlets;
- (iv) Only arranging for, and giving, Tantaros permission to participate in a single interview -- one with Headline and Global News, a website reportedly controlled by Ailes. At this interview, Tantaros was humiliated by the interviewer, who asked outrageous questions concerning, *inter alia*, her breasts -- all while a Fox News media relations staffer stood by and made no effort to intercede or stop these entirely inappropriate questions;
- (v) Repeatedly crafting and placing insulting stories about Tantaros, based upon baseless and malicious leaks about Tantaros from unnamed Fox News sources, in web sites such as TVNewser, BlastingNews.com, and The Cable Gamer, which are widely reported to be financially supported and/or controlled by Fox News; and
- (vi) Posting, or directing the posting of, numerous negative comments about Tantaros from “sock puppet” social media accounts (accounts operated by Fox News’s media relations Department designed to make it appear that they were maintained by persons unrelated to Fox News).

7. Perhaps the most shocking encounter of all was a Spring 2015 meeting between Tantaros and Fox News Senior Executive, Defendant William Shine (“Shine”), during which Tantaros sought relief from Ailes’s sexual harassment and Briganti’s retaliatory media vendetta against her. In response, Shine told Tantaros that Ailes was a “very powerful man” and that Tantaros “needed to let this one go.” Yet, after Ailes was revealed to be a sexual predator and

forced to resign, Shine was promoted to Co-President of Fox News. Shine's inexplicable elevation sends the message that it will be "business as usual" at Fox News when it comes to the treatment of women.

8. As detailed below, when Tantaros refused to follow Shine's instruction and began complaining even more vociferously to Shine, Defendant Dianne Brandi ("Brandi") (Fox News's chief in-house lawyer), and Defendant Suzanne Scott ("Scott") (head of programming at Fox News), the retaliation intensified to the point where, in April 2016, Brandi sent a letter to Tantaros's counsel, Cane, informing him that Tantaros was being removed from appearing on the air based upon the outrageously false and pretextual claim that Tantaros's still unpublished book had been written in violation of Fox News's rules for books authored by Fox News employees. Even more incredibly, Brandi accused Tantaros of manufacturing claims of sexual harassment to deflect attention from Fox News's absurd objections in her book.

9. As a matter of common sense, it is hard to imagine an employer not firing an employee for breaching a material term of her employment agreement and then making false claims of sexual harassment. Yet, here, **Fox News has continued to pay Tantaros her salary in the hope that the fear of losing her income will keep her quiet.**

10. But perhaps even more disturbing is that those ultimately in control of Fox News, Rupert Murdoch and his sons (collectively, the "Murdochs"), are plainly not disturbed by Ailes's conduct and the retaliatory conduct by Fox News senior executives; they are only upset that Ailes was outed. So while Lachlan Murdoch, one of Rupert Murdoch's sons, has claimed that "[t]hroughout this process we have moved quickly and decisively to protect ... [Fox News's]

employees...,” the Murdochs have been misleading the public into believing that they are taking action. In fact, they have done the opposite:

- a. In any responsible company, Ailes’s employment agreement (unless it has a provision permitting him to harass women) would have been terminated for cause, with no further compensation. Instead, on information and belief, the Murdochs gave Ailes a \$40 million going-away present;
- b. Ailes is reportedly still serving as an “advisor” to Rupert Murdoch;
- c. Although a respected law firm, Paul, Weiss, Rifkind, Wharton & Garrison LLP (“Paul Weiss”), has been hired to conduct an internal investigation of Fox News, the results of Paul Weiss’s investigation will not, according to published reports, be made public. Worse still, according to a published report, Paul Weiss has ceased questioning Fox News female employees at the offices of Fox News out of fear that the interviews are being bugged;
- d. There has been no effort to interview Tantaros or, on information and belief, former Fox News employees who surely have pertinent information; and
- e. **Most importantly, the Murdochs have actually rewarded Ailes’s coconspirators by not terminating their employment, and, most egregiously, elevating Shine to the position of Co-President of Fox News.**

#### **PARTIES**

11. Plaintiff Tantaros is a resident of New York County, New York. She is a graduate of Lehigh University. While at Fox News, she also served as host of the national radio talk show, *The Andrea Tantaros Show*, while also writing a syndicated column for the New York Daily News.

Throughout her career, she has served in senior communications roles on a number of high-profile political campaigns. She served as press secretary to the Republican leadership in the United States House of Representatives, and was previously a vice president at Sloane & Co., a public affairs firm in Manhattan, where she advised Fortune 500 corporations on crisis management and media strategy.

12. In 2011, Tantaros joined Fox News as one of the original co-hosts of *The Five*. While appearing on *The Five*, the Washington Times published an article stating that “Andrea’s calm, yet reasoned personality mixed with a quick tongue and biting sense of humor make her a powerful presence.”

13. Defendant Fox News is a limited liability company organized under the laws of the State of Delaware. Its principal place of business is located in New York County, New York.

14. Defendant Ailes is a resident of Westchester County, New York. From the commencement of Tantaros’s employment by Fox News until he resigned his employment on or about July 21, 2016, Ailes served as the President of Fox News, and worked at Fox News’s Manhattan offices, where all of the misconduct alleged in this Complaint took place. On information and belief, Ailes was forced to resign by the Murdochs, who control Fox News’s parent, 21st Century Fox, because in the wake of a sexual harassment lawsuit by former Fox News employee Gretchen Carlson, numerous past and present Fox News female employees have come forward with accounts of sexual harassment that are disturbingly similar to Tantaros’s allegations in this case. For example, Rudi Bakhtiar (“Bakhtiar”) has publicly alleged that, when interviewed by Ailes for an on-air position at Fox News, he asked to see her legs, and that, after being hired, she was pressured by management to wear miniskirts on air. Bakhtiar has also publicly alleged that she

was fired by Fox News as retaliation for making a sexual harassment complaint against then Washington, D.C. Bureau Chief Brian Wilson. It has been reported that Megyn Kelly, Fox News's premier female journalist, has told investigators from Paul Weiss that Ailes made unwanted sexual advances toward her about ten years ago, when she was a young correspondent at Fox News. On information and belief, Ailes's avocation as a sexual predator commenced well before he joined Fox News. For example, Shelly Ross has written an article in *The Daily Beast* stating that, when offered a producer's job at NBC by Ailes in 1981, he proposed a "sexual alliance" that would be beneficial to her career. According to Marsha Callahan, Ailes told her in 1967 that he would hire her for *The Mike Douglas Show* if she had sex with him and "a few of my friends." And, as publicly alleged by former Fox News booker Laurie Lhun, Ailes sexually harassed and "psychologically tortured" her for 20 years.

15. On information and belief, Shine is a resident of Nassau or Suffolk County, New York, but works at Fox News's offices in Manhattan, where all of the misconduct at issue alleged in this Complaint took place. From at least 2014 until he was elevated to the position of Co-President of Fox News on August 12, 2016, Shine was employed as Fox News's Senior Executive Vice-President. Shine was Ailes's enforcer. For example, on information and belief, after Rudi Bakhtiar was fired as retaliation for making a sexual harassment complaint, Shine gave false testimony in an arbitration proceeding that Bakhtiar's employment at Fox News had been terminated because of her inadequacies as a journalist. Further, after Donald Trump attacked Megyn Kelly for allegedly treating him unfairly in an August 2015 Republican Presidential Debate, Fox News publicly backed Kelly in the dispute. However, Shine executed Ailes's tactic of playing both sides of the fence by instructing all on-air talent that none of them should defend Kelly against Trump.

16. Plaintiff has no knowledge about where Defendant Brandi resides. However, she works at Fox News's offices in Manhattan, where all of the misconduct at issue alleged in this Complaint took place. From at least 2014 through today, Brandi has been employed as Fox News's Executive Vice President for Executive and Legal Affairs. She serves as the chief in-house lawyer at Fox News.

17. Plaintiff has no knowledge about where Defendant Briganti resides. However, she works at Fox News's offices in Manhattan, where all of the misconduct at issue alleged in this Complaint took place. Commencing in 2013 through today, Briganti has been employed as a Senior Vice President of Fox News with the responsibility of overseeing Fox News's media relations department.

18. Plaintiff has no knowledge about where Defendant Scott resides. However, she works at Fox News's offices in Manhattan, where all of the misconduct at issue alleged in this Complaint took place. Commencing from at least 2014 through today, Scott has been employed as Fox News's Executive Vice President for Programming and Development.

#### **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

19. In 2011, Fox News hired Tantaros to serve as a co-host of a new show -- *The Five* -- airing at 5:00 p.m. each weekday.

20. From the outset of her employment, it became clear to Tantaros that Fox News was defined by a culture of sexism that emanated from Ailes, and was enforced even by some of his female executives. Thus, in 2011 and continuing throughout her entire tenure at Fox News, Tantaros was repeatedly told by various Fox News wardrobe staffers and executives -- male and female -- that she could not wear pants on air because "Roger wants to see your legs."

21. Moreover, it was common practice of Fox News's male executives and on-air talent to openly speak about women in sexualized terms and use repulsive innuendo.

22. In addition, each year Fox News conducts a "trunk show" at which female on-air personalities pick out their wardrobe. Fox News's "trunk show" requires its female employees, including Tantaros, to dress and undress in front of Fox News's wardrobe personnel in the middle of a room without even the benefit of a curtain to act as a dressing room.

23. On or about August 12, 2014, Ailes summoned Tantaros to his office and improperly asked Tantaros whether she hoped to get married and have kids one day. Ailes then started complaining about marriage in general, and also made off-color jokes about being married. In addition, during this meeting, Ailes subjected Tantaros to a host of inappropriate questions and comments about other people working at Fox News, including:

- a. "Is Greg Gutfeld gay?";
- b. "Is Dana [Perino] a lesbian?";
- c. Perhaps Gutfeld and Perino are "sleeping together?";
- d. "Are Kimberly [Guilfoyle] and Eric [Bolling] sleeping together?";
- e. Guilfoyle is "easy";
- f. Shannon Bream's "voice is annoying.";
- g. Referring to Monica Crowley: "If I ever had to go on a date with her, I'd jump out the window.";
- h. Referring to Gretchen Carlson: "She's nuts.";
- i. Referring to Catherine Herridge: "She's a stalker."; and
- j. Referring to Maria Bartiromo: "She got so fat."

- e. Perino “is uptight. You get the feeling that she never lets her hair down, but if she did, she’d be a good time.”
- f. Kimberly Guilfoyle is a “Puerto Rican whore” and a “Puerto Rican street fighter”;
- g. “Harris [Faulkner] has to be careful. She has the tendency to look like the angry black woman.”;

27. Ailes then went on to complain about what a “pain” it was being married, followed by stories of his single days living at the Beverly Hills Hotel.

28. Shortly after her second meeting with Ailes in 2014, members of Briganti’s media relations department started acting in a hostile and aggressive manner towards Tantaros, in essence failing to assist her with attempts to boost her presence on *Outnumbered* and her public image for her and Fox News’s benefit. Tantaros complained to Briganti, who took no action to correct the problem.

29. On February 11, 2015, things escalated when Briganti falsely and aggressively accused Tantaros of leaking a story to the TVNewser website about Tantaros leaving *The Five*. Briganti also told Tantaros during this conversation that “nobody likes you.” The suggestion that Tantaros leaked a story to TVNewser was laughable, because it is common knowledge within the industry that TVNewser was created and controlled by Ailes. Tantaros denied that she had leaked the story, and asked Briganti to produce proof of her claim. Briganti never produced any proof.

30. Instead, on February 13, 2015, TVNewser published an article stating, without attribution, that it had learned that Tantaros “has moved off The Five” With no quote from Tantaros or Fox News putting a positive spin on the move to *Outnumbered*, it looked as though Tantaros had

been demoted. Worse still, the article went out of its way to point out that one of the other hosts of *Outnumbered* was on “maternity leave” -- thereby suggesting that Tantaros was just a fill-in. On information and belief, the story was planted by Briganti. Almost immediately thereafter, Tantaros was no longer included in the promotional materials for *The Five* even though she was still appearing on it at times.

31. The next week, pursuant to Tantaros’s request, Tantaros met with Shine and Scott to address Briganti’s conduct towards her. She told Shine and Scott about Ailes’s improper advances towards her, and expressed her view that Ailes was retaliating against her through Briganti. Shine and Scott told Tantaros that they would investigate her allegations, and get back to her. However, they never raised the issue with her again.

32. At this same meeting, Tantaros also asked why she had been abruptly dropped from all of the promotional materials of *The Five*, both on-air and on Fox News’s website. Scott falsely blamed another Fox News employee, Jeff Misenti. However, Tantaros presented proof to Scott showing that Misenti had acted at Scott’s express direction. Indisputably caught in a lie, Scott refused to speak about the matter.

33. Thereafter, on February 27, 2015, Ailes summoned Tantaros to his office. One would have expected that, after Tantaros’s complaints to Shine and Scott, Ailes’s purpose in summoning her was to apologize and perhaps claim that Tantaros had misinterpreted what he had said at their two prior meetings. To the contrary, Ailes began by referring to an on-air disagreement between Tantaros and Stacey Dash, stating; “I heard you were mean to the black girl.” He then ratcheted up his harassment by telling Tantaros that her body “looked good,” and that “I bet you look good in a bikini.” These comments were followed by Ailes inappropriately questioning Tantaros about why

her relationship with her long-time boyfriend had ended, expressing his baseless and preposterous view that Tantaros had “used” him to represent her in a lawsuit (he is a lawyer), and that Tantaros had “dumped” him when he lost the case. He then told her: “You’re tough. You use men. He didn’t get you what you wanted so you dumped him. Isn’t that what happened?” At this point, Tantaros told Ailes that his line of questioning was inappropriate and unprofessional, as well as predicated on assumptions that were untrue. Nonetheless, Ailes would not stop, telling Tantaros that “I bet you were mean to him.” By this point in time, Tantaros was in tears. However, by virtue of Ailes’s position at Fox News, Tantaros did not believe that she could just leave his office. She finally felt free to leave when, after again telling Ailes how upsetting and unprofessional his conduct was, she told him that she was due on the air in 10 minutes, and that she had already missed her scheduled 11:40 a.m. on air “tease” for *Outnumbered*.

34. The fall-out from her February 2015 meeting with Ailes was swift. No media requests to speak with her were approved by Briganti, or even passed along to her by media relations. She was also told that there would be no promotion of her move to *Outnumbered*, even though she and her agent had been assured that there would be. Notwithstanding numerous requests to Shine and Scott, her appearances on prime-time shows steadily declined, and she was never again permitted to guest host on prime-time or to play a role in Fox News’s coverage of the 2016 Presidential election.

35. Indeed, following her meeting with Ailes, the only media interview that Briganti’s media relations department arranged for Tantaros was an interview with Headline and Global News, which, on information and belief, is a blog that is funded and controlled by Fox News. Tantaros was then shocked by the late April 2015 interview, which included the interviewer asking about her

physical attributes, including questions about her breasts -- all while Fox News media relations staffer Jessica Jensen observed, but did not object. The interviewer also asked Tantaros about anonymous sources who told him that she was "difficult to work with." So not only did Fox News arrange for the smearing and sexual exploitation of Tantaros with this article, Briganti had a Fox News media relations staffer supervise it.

36. Tantaros then complained to Fox News media relations staffer Carly Shanahan, who had set up the interview at Briganti's direction, and asked her to contact the interviewer and have the inappropriate portions of it removed. She did not do so. The May 4, 2015 article that was published in Headline and Global News corroborates Tantaros's account of the offensive nature of the questions asked of her:

She laughs politely at first when I run off a list of Google key words associated with a search of her name - ones that include "hot," "legs," and "bikini" (The latter is a hoax so don't bother looking). But she tenses and frowns slightly when I follow that up by mentioning the frequent description of her online as a "Greek goddess" and the pages and pages of Internet threads spooling out of control about her physical attributes and posing questions like "Does she have a boyfriend, husband or is she divorced?" And others like, "Tantaros or Guilfoyle - who's the hotter Fox brunette?"

37. On or about April 30, 2015, following the interview with Headline and Global News (but before it was published), Tantaros went directly to Shine, telling him that she believed the interview was a "set up" engineered by Ailes through Briganti, to use anonymous sources to create a false storyline that Tantaros was difficult to work with, and to paint her as a sex object rather than as a serious journalist. Tantaros also told Shine about what had transpired in Ailes's office during her August and December 2014, and February 2015, meetings with Ailes, and that she believed she was being targeted by Briganti at Ailes's direction. Shine told Tantaros that he "would look into it and get back to you."